

**Cooper Industries**  
P.O. Box 4446  
Houston, Texas 77210



October 29, 1996

Mr. Kurt N. Lindland  
Assistant Regional Counsel  
U.S. Environmental Protection Agency Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

VIA FACSIMILE AND REGULAR MAIL (312) 886-0747

Re: Albion-Sheridan Landfill Site  
Chronology of UAO compliance discussions

Dear Mr. Lindland:

By your letter dated October 11, 1996, you requested that I provide you a chronology of Cooper's and Corning's efforts to reach an agreement with Decker Manufacturing regarding implementation of the RD/RA in this matter by October 30, 1996. I have attached a list of events (and have included documents, as appropriate) that I believe accurately reflect the efforts made by both Cooper and Corning to involve Decker in their efforts to comply with the Unilateral Administrative Order issued to these parties late last year.

Please note that I have not included any reference to the actual work at the site, which is currently on schedule, because I did not read your letter to indicated that EPA has any concerns with on-going site activities. Because you may already have the documents listed as attachments to the chronology (Attachment A) and they are somewhat lengthy, I will send them only by regular mail.

Very truly yours,



Ceil Price  
Counsel, Environmental

Attachment

cc: Chris Smith (w/attachment)

600 Travis, Suite 5800  
Houston, Texas 77002  
Phone: (713) 209-8400  
Fax: (713) 209-8995

Mr. Kurt N. Lindland

Page 2

October 29, 1996

Richard Geiger (w/attachment)

Phillip Moilenan (w/o attachment)

E.P.  
10/29/96

ATTACHMENT "A"

February 2, 1996

Telephone conference among Decker, Cooper and Corning. Counsel for Decker indicates that Decker notified EPA that it would comply with UAO. Decker comments that it could function as project coordinator because it is a local entity. Decker indicates, however, that it cannot agree to such participation without knowing its share of the project.

February 6, 1996

Cooper sends several drafts of types of participation agreements to Decker and Corning.

February 7, 1996

Telephone conference among Decker, Cooper and Corning. Participation agreements are discussed generally. Counsel for Decker indicates that Decker will not agree to sign a participation agreement before a final allocation is agreed upon.

February 12, 1996

Decker participates with Cooper and Corning to interview candidates for project coordinator.

February 13, 1996

Conference call among Decker, Cooper and Corning. Cooper and Corning state a willingness to participate on an interim per capita allocation, but counsel for Decker remains unwilling to so participate. Cooper and Corning request that counsel for Decker contact his client and respond by February 15, 1996, regarding Decker's position. Options included participating on an interim allocation or submit a proposal for some other method of going forward, including cashing-out.

February 15, 1996

Letter from counsel from Decker in which he requests copies of McGraw-Edison's responses to EPA's §104(e) requests for information. Response sent by fax.

(Attached).

February 23, 1996

Cooper and Corning correspondence to counsel for Decker. (Attached).

March 1, 1996

Decker correspondence to Cooper and Corning.

April 15, 1996

Signing of Cooper and Corning in Participation Agreement at Albion site.

May 1, 1996

Corning and Cooper correspondence to counsel for Decker. (Attached).

May 21, 1996

Letter from counsel for Decker to Cooper and Corning.

May 29, 1996

Corning and Cooper correspondence to counsel for Decker. (Attached).

June 1996

Several telephone calls between counsel for Cooper and counsel for Decker. Telephone calls discuss scheduling of a meeting regarding participation, but no substantive discussion occurs between the parties. Cooper proposes a meeting in Albion, MI at Decker's offices on July 9, 1996, but due to a conflict in schedule of Cooper's counsel, the meeting is canceled.

July 1996

Telephone messages exchanged between counsel for Cooper and Moilanen office. Meeting scheduled for August 5, 1996, in Albion, MI.

August 2, 1996

Telephone conference between Moilanen and Price regarding Decker's proposal to move August 5, 1996 meeting to Detroit at the offices of Fink & Zausmer to accommodate attorney Michael Caldwell. Meeting is eventually canceled due to personal emergency of Moilanen.

September 27, 1996

Telephone message from Moilanen to Price regarding rescheduling of meeting.

October 2-11, 1996

Various telephone conferences among counsel for Decker, Cooper and Corning regarding meeting date. New counsel for Corning, Richard Geiger, has scheduling conflicts that preclude an October 22, 1996 meeting.

November 12, 1996

Meeting scheduled at offices of Fink & Zausmer, 1:00 p.m. Counsel for Cooper and Corning to attend.

U:\WPDOC\DECKER.CAL